

## **STATUS OF THE CLAIMS**

Please cancel Claims 4 and 5 without prejudice or disclaimer, not to overcome the cited art, but rather to narrow the claim issues so as to put the remaining Claims in a *prima facie* condition for allowance.

Please find the current status of the claims, as of the filing of this amendment paper, as follows:

1. (Currently Amended) An apparatus comprising:  
a mold having at least one side wall defining an interior portion, said mold having an opening for injecting material into said interior portion; ~~and~~  
a member in sealable connection with said interior portion for adjustably controlling the density of the material; and  
said member further comprising;  
a piston capable of sliding at variable speed along said interior portion for controlling the density of the material; and  
a combination of at least one gear and at least one brake, wherein said combination engages said piston for adjustably controlling the density of the material.
2. (Canceled)
3. (Previously presented) The apparatus of Claim 1, wherein said controlling member comprises a backpressure piston.
- 4-5. (Canceled)

6. (Currently Amended) The apparatus of Claim 1 4, further comprising a valve ~~means~~ positioned upstream from said mold, said valve ~~means~~ further actuating to allow flow when said mold is empty or block flow when said mold is full.

7. (Canceled).

8. (Previously presented) The apparatus of Claim 1, further having said mold with at least one end confining said interior portion, wherein said end further comprises a rod, slidingly connected therefrom.

9. (Currently Amended) The apparatus of Claim 8, wherein said rod is pushed outwardly as the mold fills, whereby the outward end position of said rod is detected by a sensor as said mold is filled or substantially filled, said sensor further actuating said valve ~~means~~.

10. (Previously presented) The apparatus of Claim 1, further comprising a means to shut off the flow of the injected material when said mold is filled or substantially filled and a means to divert the material to another mold that is not filled.

11. (Currently Amended) The apparatus of Claim 10, wherein said means comprises a diverter valve ~~means~~.

12. (Previously presented) The apparatus of Claim 11, wherein said means further comprises a first diverter station and a second diverter station.

13-14 (Canceled)

15 (Previously presented) The apparatus of Claim 1, further comprising:

a means to shut off the flow of the injected material when said mold is filled or substantially filled.

16 (Canceled)

17. (Currently Amended) An apparatus for making a member in a mold comprising:

a closed chamber mixer for mixing the materials;

at least one mold that has sides and ends that can be closed;

an extruder for filling the mold with the mixed materials, wherein said mixer is upstream of said extruder;

a member for adjustably controlling the density of the materials as the mold is filled;

a valve to shut off the flow of said mixed materials when said mold is filled;

a sensor to indicate when said valve should shut; and

a water bath for cooling said mold or molds.

~~a valve means capable of allowing flow when the mold is empty and blocking flow when the mold is full; and~~

~~an indicator means for sensing material in the mold thereby actuating said valve means.~~

18. (Previously presented) The apparatus of Claim 17, wherein, the members are molded in a plurality of molds.

19. (Previously presented) The apparatus of Claim 17, further comprising said valve means to block the flow of the material to the mold that is filled or substantially filled and to divert the flow to a mold that is not filled .

20. (Previously presented) The apparatus of Claim 19, wherein said means comprises a diverter valve.

21. (Previously presented) The apparatus of Claim 19, wherein said means further comprises a first diverter station and a second diverter station.

22. (Previously presented) The apparatus of Claim 17, wherein the mold further comprises at least one end confining the materials and a sliding rod extending outward from said end of the mold, said sliding rod moving outwardly as said the mold is filled.

23. (Previously presented) The apparatus of Claim 22, wherein said rod, in its outward end position, is detected by a sensor when the mold is full or substantially full.

24. (Previously presented) The apparatus of Claim 23, wherein said sensor actuates said valve means closing the mold that is filled or substantially filled and diverting the material to another mold that is not filled.

25. (Canceled)

26. (Currently Amended) The apparatus of Claim ~~17~~ 22, having means to push said rod

inwardly and push the member out of the mold after said member is formed.

27. (Previously presented) The apparatus of Claim 26, further comprising a cooling rack.

28. (Previously presented) The apparatus of Claim 17, further comprising a texturing member.

29. (Previously presented) The apparatus of Claim 17, wherein said member that adjustably controls the density comprises at least one piston, one gear and one brake.

30. (Previously presented) The apparatus of Claim 17, further comprising a cooling bath for cooling the mold or molds.

31. (Previously presented) The apparatus of Claim 17, further having means to put the mold into the cooling bath and means to take the mold out of the cooling bath.